

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

YOEL WEISSHAUS,

Plaintiff,

- against -

Hon. ANDREW CUOMO in his official and
individual capacity,

Defendant.

Case: 1:20-cv-05826-BMC

NOTICE OF MOTION FOR PRELIMINARY INJUNCTION

PLEASE TAKE NOTICE: UPON the affirmation by Yoel Weisshaus and memorandum of law, dated December 23, 2020, Plaintiff Yoel Weisshaus moves this Court, before the Honorable Brian M. Cogan Eastern District of New York, 225 Cadman Plaza E, Brooklyn, NY 11201 for an order:

- a. Pursuant to FRCP 65(a)(2) for the Court to advance the trial on the merits and consolidate it with the hearing for a preliminary injunction to the extent that a decision requires deciding issues of law as the facts alleged in the verified complaint are uncontested.
- b. Granting pursuant to FRCP 65(a), (d) a preliminary injunction and judgment to enjoin the Defendant, the Hon. ANDREW CUOMO in his official and individual capacity, from utilizing his Executive Order 205.2 and New York State Traveler Health Form at any port of entry as a condition for people arriving from overseas.
- c. Enjoining judgment enjoining the Defendant, the Hon. ANDREW CUOMO in his official and individual capacity, from reaping the fruits of the Executive Order 205.2 and the New York State Traveler Health Form, inasmuch Defendant gained any information at any port of entry by way of utilizing the New York State Traveler Health Form, and such similar methods, in conditioning people arriving from overseas to share them with Defendant.
- d. Pursuant to 42 USC 1988 awarding attorney fees and costs associated with bringing this action.

Dated: Brooklyn, NY
December 23, 2020

Respectfully submitted,

Law Office of Eugene M. Lynch

By: Eugene M. Lynch

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